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IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Application of: Brines *et al.* Confirmation No.: 5119  
Application No.: 09/717,057 Art Unit: 1647  
Filed: November 21, 2000 Examiner: DeBerry, Regina M.  
For: MODULATION OF EXCITABLE TISSUE Attorney Docket No.: 10165-010-999  
FUNCTION BY PERIPHERALLY  
ADMINISTERED ERYTHROPOIETIN

**PETITION FOR EXTENSION OF TIME UNDER 37 CFR § 1.136(a)**

Mail Stop RCE  
Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

Sir:

It is respectfully requested that the time for filing a Brief on Appeal be extended for a period of four (4) months from April 14, 2004 to and including August 16, 2004 (August 14, 2004 being a Saturday).

The extension fee for filing a Brief on Appeal within the fourth month is estimated to be \$1480.00. Please charge the required fee to Jones Day Deposit Account No. 50-3013. A copy of this sheet is enclosed.

Respectfully submitted,

Date: August 16, 2004

*Laura A. Coruzzi* 30,742  
Laura A. Coruzzi (Reg. No.)  
**JONES DAY**  
222 East 41st Street  
New York, New York 10017  
(212) 326-3939

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by: *Joseph P. Cahill* Reg. No. 51,523